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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,) No. CR 07-0295 MAG
15 Plaintiff,)
16 v.) UNITED STATES' PROPOSED
17 NICOLE LEA MAYS,) ADDITIONAL JURY INSTRUCTIONS
18 Defendant.)
19)
20 _____)
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22 In addition to the agreed upon jury instructions, the United States of America respectfully
23 requests the Court provide Jury Instruction 3.18 from the Manual of Model Criminal Jury
24 Instructions for the District Courts of the Ninth Circuit (2000 edition). Jury Instruction 3.18

1 gives the definition of possession. The United States believes that this instruction is necessary as
2 possession in an element of the charged crimes.

3 DATED:

4 Respectfully submitted,

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6 JOSEPH P. RUSSONIELLO
7 United States Attorney

8 /s/
9 WENDY THOMAS
10 Special Assistant United States Attorney

3.18 POSSESSION - DEFINED

(Ninth Circuit Model Instruction - Approved 2000)

A person has possession of something if the person knows of its presence and has physical control of it, or knows of its presence and has the power and intention to control it.

[More than one person can be in possession of something if each knows of its presence and has the power and intention to control it.]